

**SIXTY-SECOND DAY**

(Monday, May 5, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator York, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 1, 1947, was dispensed with and the Journal approved.

**Leave of Absence Granted**

Senator Ramsey was granted leave of absence for today on account of important business on motion of Senator Carney.

**Reports of Standing Committees**

Senator Kelley of Hidalgo submitted the following report:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 9, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

**KELLEY of Hidalgo, Chairman.**

Senator Jones submitted the following report:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 134, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

**MORRIS, Chairman.**

Senator Taylor submitted the following reports:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Bill No. 790, have had the same under consideration, and report it back to the Senate with the recommendation that it do pass and be not printed.

**TAYLOR, Chairman.**

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred House Bill No. 350, have had the same under consideration, and report it back to the Senate with the recommendation that it do pass and be not printed.

**TAYLOR, Chairman.**

Senator Carney submitted the following reports:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred House Bill No. 485, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

**CARNEY, Chairman.**

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred House Bill No. 480, have had same under

consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be mimeographed.

CARNEY, Chairman.

#### Message from the House

Hall of the House of Representatives.  
Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

S. B. No. 82, An Act to amend the statutes of the State of Texas relating to the computation of the reserves on policies and contracts issued by life insurance companies organized under the laws of this State or authorized to transact business in this State by amending Article 4688 and 4748 of the Revised Civil Statutes of Texas, 1925, and Section 5 of Chapter 101, page 172 of the Acts of the 42nd Legislature (Article 4764a, Section 5, Vernon's Civil Statutes of Texas, Annotated); and declaring an emergency.

S. B. No. 14, An Act to amend subsection 8 of Section 30 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature, and known as Chapter 61, page 100 of the General Laws, passed by the Second Called Session of the 41st Legislature, as thereafter amended; and declaring an emergency.

S. B. No. 15, to amend Section 54 of Senate Bill No. 111, passed by the Second Called Session of the 41st Legislature and known as Chapter 61, page 100, of the General Laws passed by the Second Called Session of the 41st Legislature; and declaring an emergency. (With amendment.)

S. B. No. 83, to amend the statutes of the State of Texas relating to what a policy of life insurance shall contain by amending Sections 6, 7, and 8 of Article 4732 of the Revised Civil Statutes of Texas, 1925, and subsection e, Section 2, Chapter 89, of the Acts of the 47th Legislature, (Article 4764b, Section 2e, Vernon's Civil Statutes of Texas, Annotated); and providing that this Act shall take effect January 1, 1948; and declaring an emergency.

The House has concurred in Senate amendments to House Bill No. 579 by a vote of 101 yeas, 0 noes.

The House has concurred in Senate amendments to H. C. R. No. 48 by a viva voce vote.

S. C. R. No. 37, Requesting the Governor to return Senate Bill No. 364 in order that two typographical errors may be corrected.

S. C. R. No. 38, Recalling Senate Bill No. 282 from the Governor's Office for correction.

S. C. R. No. 34, Authorizing the Governor of the State of Texas to appoint a Commission to examine into the laws now governing the administration of the Gatesville School for Boys and the Gainesville State School for Girls, etc.

S. C. R. No. 35, Authorizing the State Board of Control to enter into a contract with the San Jacinto Museum of History Association, whereby the care, custody and control of the San Jacinto Memorial Tower will be given to and continue in the San Jacinto Museum of History Association until otherwise provided by the Legislature, etc.

The House has refused to concur in Senate amendments to House Bill No. 292, and request the appointment of a Conference Committee to adjust the differences between the two Houses; The following have been appointed on the part of the House: Isaacks, Kilgore, Kaken, Bell of Bexar, Heflin.

S. B. No. 396, Making an emergency appropriation for Texas Prison System; and declaring an emergency.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Report of Committee To Investigate the Board of Pardons and Paroles

Senator Aikin submitted the following report:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, the General Investigating Committee, appointed under authority of Senate Resolution 14, beg leave to submit the following report:

On February 4, 1947 the Committee began its investigation of the ac-

tivities of the Board of Pardons and Paroles. It heard the testimony of numerous witnesses including employees of the Board and two Members thereof, namely Abner L. Lewis and Elster M. Haile. The Committee also heard employees of the Secretary of State's Department and former Governor Coke R. Stevenson. The testimony is attached hereto and made a part of this report.

#### Findings:

1. Gross abuse of discretion by the Board in approving and submitting numerous clemency recommendations.
2. Gross failure of the Board to differentiate among the types of crimes for which clemency was recommended.
3. Gross failure of the Board to properly consider, in many cases, the current prison record of convicts for whom clemency was recommended.
4. Total disregard by the Board, in numerous cases, of previous criminal records and prior convictions of convicts for whom clemency was recommended.
5. Lack of uniformity in determining the basis of recommending clemency.
6. Gross failure of the Board to consider cases in the order in which convicts became eligible for clemency recommendations.
7. Close relations existing between A. L. Lewis, Board Chairman and "professional" clemency-seekers.
8. Laxity in the Governor's office, in many instances, in considering recommendations for and in the granting of clemency.
9. Practice in Governor's office in considering clemency on routine basis except in cases involving major crimes, severe penalties or the notoriety of the convicts involved.
10. Practice in Governor's office of delegating to minor employees authority to exercise functions of sovereignty in action upon clemency recommendations.

#### Comments:

It is the opinion of the Committee that, in too many cases, good judgment has not been used by a majority of the Board in recommending clemency. There appears to have been a total disregard of sound discretion. The Constitution allows the Board wide latitude in its recommendations but does not authorize abuse of that discre-

tion. In this connection it seems that the type or character of crime committed was seldom considered when clemency was recommended.

There were numerous instances of the failure of the Board to properly consider the current prison records of convicts who were recommended for clemency, in utter disregard of evidence of their misconduct appearing on such prison records for such offenses as escapes and attempted escapes and of many while actually in stripes for insubordination and other violations of prison rules. These records were available to the Board and its action in granting clemency to such offenders is wholly without justification.

The evidence further showed that many convicts were recommended for clemency by the Board who had served as many as six, and seven, terms in various penitentiaries, some of whom had been convicted in Texas as habitual criminals. The Board, in numerous instances, recommended clemency for these "repeaters," thus flagrantly disregarding its obligation to society.

The record reflects a lack of uniformity by the Board in recommending clemency, in that persons convicted of the same offense were not given the same consideration, although their records were virtually the same as others whose cases were being pushed by outside influences and "professional" clemency-seekers. This Committee recognizes that there can be no absolute formula as the basis for recommending clemency. Mercy or clemency cannot be determined by mathematical calculation. However, where the records are similar in nature, with similar facts and involve the same or a similar offense, it is the opinion of the Committee that a more or less uniform policy should control the recommendations for clemency in such cases.

The failure of the Board to properly consider cases in the order in which convicts became eligible for clemency in the absence of efforts on the part of "professional" clemency-seekers, constitutes a fault which demoralizes the discipline of the entire prison population. The testimony revealed that Mr. A. L. Lewis, Chairman of the Board, had numerous direct contacts with regular and frequent clemency-seekers who oftentimes bypassed the reception clerk or informa-

tion desk and went directly to Mr. Lewis' office and, on occasion, up the back stairs. Further, the record shows that he had numerous long-distance telephone calls to and from some of the same parties. The record reflects that those cases in which these "professional" clemency-seekers interceded were more than frequently recommended for clemency regardless of the length of sentence or the type of crime involved and that one of such "influences" was an ex-convict with whom the said Chairman of the Board often conferred.

It further appears that the practice followed in the Governor's office in considering clemency recommendations indicated a general laxity on the part of the Chief Executive. This was doubtless due to the large number of recommendations received daily and the matter of acting on such recommendations was delegated to minor employees in the Governor's office as a routine matter. In this connection it may be pointed out that considerable time would be required to read and carefully consider each and every recommendation submitted by the Board for the Governor's action. It was for this reason, apparently, that the practice of delegating such authority was followed except in cases involving major offenses or of unusual circumstances such as severe penalties or the notoriety of the convict involved.

#### **Recommendations:**

The exercise of clemency is, fundamentally, a function of sovereignty. It is so recognized in the Constitution of Texas, although the Constitution was amended in 1936 to provide for a dual responsibility in its exercise. (Art. 4, Sec. 11.) This Constitutional provision established a Board of Pardons and Paroles composed of three members, one to be appointed by the Chief Justice of the Supreme Court, one by the Presiding Judge of the Court of Criminal Appeals and one by the Governor.

By this amendment it was made the duty of the Board or a majority thereof to submit written, signed recommendations and advice to the Governor, who shall have power, after conviction, to exercise clemency. The Governor can thus function only as a component part of the present clemency system of dual responsibility, except in cases of treason and impeachment.

The Committee believes that experience has demonstrated the undesirability of continuing the present dual-responsibility system in the exercise of clemency. The sole responsibility should devolve upon the Chief Executive. True, it is a very great responsibility, but it is fundamentally a function of the office of the Governor. By restoring the full responsibility of exercising clemency to the Governor, he could be held directly accountable at the polls each two years for its abuse. This suggestion is made with full knowledge that the pardoning power probably has been abused in the past and will likely be abused in the future. In the final analysis, the question of clemency depends exclusively upon the individual in whom such power is lodged.

If the dual-responsibility system is abandoned it is recognized that adequate, qualified personnel should be provided the Governor for the purpose of properly exercising clemency. The duties of the Governor's office are manifold and are constantly increasing as governmental functions and services are expanded. The Legislature, the Committee believes, would take these factors into consideration and provide sufficient appropriation therefor.

If the people should decline to amend the Constitution, as above suggested and, in any event, until such is done, it is recommended that the Board of Pardons and Parole designate regular meeting days on which cases, other than those which are considered in the order in which convicts become eligible, may be heard and considered. Reasonable rules and regulations governing the procedure before such Board should be immediately adopted and promulgated. Notice should be given all interested parties in contested cases and full hearings be granted and conducted. Also, that such hearings be reported. Appearances of counsel or other interested persons should be noted on a docket or record kept for such purpose which should be open to public inspection at all times, stating in what capacity they appear, whom they represent and, if for a fee, the amount thereof. It is further recommended that such statements be made under oath. Just here it may well be suggested that no member of the Legislature should appear in a clemency matter for a fee.

It is the considered opinion of the

Committee that Mr. Lewis, being somewhat younger, and perhaps, more vigorous in his activities, was the dominating factor in the activities of the Board. By reason of such it is believed that he is more directly responsible for the apparent abuses, above outlined, than either Mr. Strong or Mr. Haile although they must share such responsibility to the extent in which they or either of them participated. Let it be here pointed out that the record discloses that in a number of cases dissents or protests were filed by Mr. Strong.

Further, the Committee believes that by reason of the patent abuses of discretion in the numerous cases approved for clemency by Mr. Lewis, his usefulness has been impaired to such extent that any further official connection with the Board would be looked on with considerable question. Hence, the Committee recommends that Mr. Lewis should tender his resignation to be immediately effective.

The Committee further recommends that a copy of this report and a transcript be filed with the Speaker of the House of Representatives for appropriate consideration and action.

This Committee unhesitatingly emphasizes that it is not the intention of the Committee to suggest that the Board or a majority thereof should not approve or submit any recommendation for clemency or that the Governor should not grant clemency. Under our existing dual-responsibility system these officers only have the power in matters affecting clemency. Neither the Legislature nor the Courts possess such power in any degree except in cases of treason or impeachment when the Legislature must approve.

On the contrary, the Committee believes that those who have shown themselves entitled to clemency should be so rewarded, subject to due regard for society as a whole.

Respectfully submitted,

AIKIN, Chairman.

HARDEMAN

HARRIS

WINFIELD,

Members.

#### Supplemental Report

Senator Hazlewood submitted the following report:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Although I agree with the report in the main, I desire to make the following observations. There were 3,140 clemencies recommended by the Board of Pardons and Paroles and approved by the Governor's office during the year 1946. This is an average of more than ten a day. We can immediately realize the utter impossibility for the Governor of Texas to personally make any sort of investigation or acquire any information at all on so many cases he is called upon by law to approve. Indeed, there are three members of the Board of Pardons and Paroles who spend their entire time preparing and investigating these cases. If the Governor did nothing else but advise and inform himself on the merits or demerits of these cases, he would have to perform as much work as all three members of the Board of Pardons and Paroles. Needless to say, anyone knows he cannot do that. Even if he could, he would not have a moment of time left for any other duty or function of the Governor's office. In view of this glaring inadequacy of our present legal setup, I do not believe it is even fair to the state that any "laxity" existed in the Governor's office. On that enormous number of clemencies nothing more could be given or expected than a rubber stamp approval by some employee in the Governor's office.

Adequate provision should be made by this Legislature by way of statutory enactment and necessary appropriations in order that the Governor of Texas may perform the duties imposed upon him in this connection. I believe, as do other members of the committee, that the enactment of the proposed constitutional amendment, when followed up by necessary enabling legislation and suitable appropriations, will serve greatly to correct the inadequacies of our present system. I feel certain that the adoption of this amendment by the people plus the passage by the Legislature of the probation bill by Representative Parkhouse, as amended, will go a long way in correcting the evils set out in our report.

Respectfully,

GRADY HAZLEWOOD,  
Member of the Committee.

**Senate Joint Resolution 15 on First Reading**

By unanimous consent, Senator Aikin introduced at this time the following Senate Joint Resolution, which was referred to the Committee on Constitutional Amendments.

By Senators Aikin, Hardeman, Harris, Winfield and Hazlewood:

Senate Joint Resolution No. 15, Proposing an amendment to Section 11 of Article IV of the Constitution of the State of Texas, so as to make the Governor the sole pardoning power in this State, except in cases of treason the Governor may grant reprieves, commutations and pardons with the advice and consent of the Legislature; and to provide for an election upon such proposed constitutional admendment, and making an appropriation therefor.

**Senate Bill 414 on First Reading**

By unanimous consent, the following local bill was introduced, read, and referred to the Committee on Game and Fish:

By Senator Moffett:

S. B. No. 414, An Act requiring any person hunting upon the private lands of another person in Hardeman County or Wilbarger County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this Act; and repealing all laws in conflict with any provision of this Act, insofar as they relate to the counties mentioned in this Act; and declaring an emergency.

**Senate Bill 415 on First Reading**

Senator Tynan moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his in-

roducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

Absent—Excused

Mauritz Ramsey

The following bill then was introduced, read first time and referred to the Committee on Federal Relations:

S. B. No. 415, A bill to be entitled "An Act providing that Scobey Fire-proof Storage Company, a corporation, shall be authorized to establish, operate and maintain a foreign trade zone at San Antonio, Bexar County, Texas; that it shall be and hereby is authorized to make application to the Foreign Trade Zones Board, Washington, D. C., for a grant permitting the establishment, operation and maintenance of a foreign trade zone at San Antonio, Bexar County, Texas, in accordance with the provisions of law and the regulations of the Foreign Trade Zones Board, and that when said application shall have been granted it is authorized to accept said grant; and declaring an emergency."

**Message from the House**

Hall of the House of Representatives.  
Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolution:

H. C. R. No. 74, Urging Congress to maintain and strengthen Farm Home Administration Program.

H. B. No. 246, A bill to be entitled "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits; making appropriations for the support, maintenance, buildings, and improvements of the several State Institutions of higher learning for the two fiscal years, beginning September 1, 1947, and ending August 31, 1949, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations, containing a saving clause; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

#### Motion to Introduce Bill

Senator Cousins moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

#### Yeas—23

Aikin	Lane
Brown	Moffett
Bullock	Morris
Chadick	Parrish
Cousins	Phillips
Crawford	Proffer
Hardeman	Stanford
Harris	Stewart
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Winfield
Kelly of Tarrant	

#### Nays—5

Carney	Weinert
Strauss	York
Taylor	

#### Absent

Knight

#### Absent—Excused

Mauritz	Ramsey
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#### Senate Bill 416 on First Reading

Senator Phillips moved that the rules adopted pursuant to Section 5

of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

#### Absent

#### Absent—Excused

Mauritz	Ramsey
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The following bill was then introduced, read first time and referred to the Committee on Towns and City Corporations.

By Senators Phillips, Kelly of Tarrant, Moffett and Jones:

S. B. No. 416, A bill to be entitled "An Act amending Acts, 1945, 49th Legislature, page 406, Chapter 261, Section 7, extending the time within which bonds are authorized to be issued or executed under the provisions of said Act, and declaring an emergency."

#### Senate Concurrent Resolution 39

Senator Taylor offered the following resolution:

S. C. R. No. 39, Giving the State Board of Control the right to sell or lease a small frame building in Paris, Lamar County, Texas.

Whereas, the statute creating the Centennial Commission has expired,

Whereas, when this Centennial Commission was in existence it was composed of the Members of the State Board of Control,

Whereas, during the existence of the Centennial Commission there were erected by them over the State a few small structures including a small frame building in Paris, Texas.

Whereas, when the law creating the Centennial Commission expired there was no provision made in regard to the liquidation or disposition of such property, and

Whereas, there is now some doubt as to the authority of anyone to dispose of such property, making it necessary for such authority to be vested in some State Agency;

Therefore, Be it Resolved by the Senate of Texas, the House of Representatives concurring, that the State Board of Control shall have the authority to lease or sell the property outlined above in the manner now prescribed by law.

The resolution was read.

On motion of Senator Taylor, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Resolution 97

(Sweetheart of the Senate)

Senator Hardeman offered the following resolution:

Whereas, Miss Pricilla Jane Harris of Dallas County, Texas, was born on February 11, 1946, the daughter of Honorable and Mrs. Fred Red Harris, and

Whereas, Pricilla Jane, familiarly known as "Prissy" is of such charming personality and possessed of queenly qualifications which endear her to the members of the Senate, and

Whereas, it is the desire of the Senate to name her a "sweetheart" of the Senate and that her photograph be included in the block picture of the Senate, now therefore be it

Resolved that "Prissy" Harris be and she is hereby named a sweetheart of the Senate of Texas and that her photograph be included in the block picture of the Senate.

HARDEMAN  
WINFIELD.

The resolution was read and was adopted.

#### Messages from the Governor

The President laid before the Senate and directed the Secretary to read the following messages received from the Governor today:

Austin, Texas,  
May 1, 1947.

To the Members of the Fiftieth Legislature:

Section 14 of Article IV of the Constitution of Texas provides that if any bill presented to the Governor contains several items of appropriation, he may object to one or more of such items, and approve the other portion of the bill. I have had under consideration Senate Bill No. 123 relating to administration and special services for special education for exceptional children.

The training provided in this bill is to be administered by the Division of Special Education of the State Department of Education. The bill in question provides appropriations of \$25,420 for each year of the next biennium for administration.

It occurs to me that the administrative items should be carried in the regular departmental appropriation bill, just as they are for other divisions of the State Department of Education, and other administrative agencies of the State.

In approving the bill which provides for the continuance of our program of special education for exceptional children, I have vetoed and disapproved the following items carried in Article V, Sec. 3, providing for the administration of this Act during the fiscal years ending August 31, 1948, and August 31, 1949:

	Fiscal Yr. End. Aug. 31, '48	Fiscal Yr. End. Aug. 31, '49
Director .....	\$ 4,800	\$ 4,800
Supervisor in Charge of Spastics .....	3,600	3,600
Supervisor in Charge of Speech Therapy	3,600	3,600
Bookkeeper-Sec. . .	2,760	2,760
Secretary .....	2,160	2,160
Travel, Ptg. and Contg. Exp. ....	8,500	8,500
Total .....	\$25,420	\$25,420

I respectfully suggest that the items for administration of this program be incorporated in the departmental appropriation bill now pending.

Respectfully submitted,  
BEAUFORD H. JESTER,  
Governor of Texas.

Austin, Texas,  
May 5, 1947.

To the Members of the Fiftieth Legislature:



In my first message to the Legislature on January 28, I said that the State should make an effort to discharge in a small measure at least, the great debt of gratitude which it owes to its veterans.

With this in view, I advocated the creation of a State Veterans Commission, an agency which would coordinate and facilitate the handling of veterans' affairs, safeguard their interests, and promote their welfare.

Bills on this subject were introduced in the Senate and in the House and I understand that House Bill No. 18 is now pending on the calendar in the House.

I have discussed this measure with the author of House Bill No. 18 and am in agreement with him on certain changes which should be made to make the measure conform to the exigencies of our present situation. I understand that the author plans to submit to the House certain amendments to the pending bill.

It seems now that the best thing to do is to establish the Veterans Commission to coordinate the handling of veterans' affairs and to absorb the present duties and functions of the State Service Office.

Appropriations for the State Service Office as made in the pending departmental appropriation bill could well be transferred to the Veterans Commission when it is established. The Board of Control recommended a substantial increase for the State Service Office for the coming biennium. It is my thought that the appropriation for the new Veterans Commission should not exceed the Board's recommendation for the State Service Office for the coming year, but that is a matter which can be determined in the consideration of the departmental appropriation bill.

In view of the extreme importance of this matter to the veterans of Texas, I submit House Bill No. 18, as amended, as emergency legislation under Section 5, Article III of the Constitution.

Respectfully submitted,  
BEAUFORD H. JESTER,  
Governor of Texas.

The following message was read and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
May 5, 1947.

To the Senate of the Fiftieth Legislature:

I ask the advice, consent and con-

firmation of the Senate with respect to the following appointments:

To be the Adjutant General of the State of Texas:

General Kearie L. Berry of Denton, Denton County, Texas.

To be Pecos River Compact Commissioner for a two year term to expire May 5, 1949:

Charles H. Miller of Barstow, Ward County.

Respectfully submitted,  
BEAUFORD H. JESTER,  
Governor of Texas.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred House Bill No. 813, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred House Bill No. 818, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

CARNEY, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 801, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Pub-

lice Debts, Claims and Accounts, to whom was referred Senate Bill No. 412, have had same under consideration, and I instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts to whom was referred Senate Bill No. 407, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred Senate Bill No. 414, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

May 5, 1947.  
Austin, Texas,

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 356, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BULLOCK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Towns and Cities, to whom was referred Senate Bill No. 416, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Ju-

dicial Districts, to whom was referred House Bill No. 797, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred House Bill No. 155, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be mimeographed.

YORK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred House Bill No. 251, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

MORRIS, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 584, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

#### House Bill 507 on Second Reading

On motion of Senator Proffer, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 507, A bill to be entitled "An Act to amend paragraphs 2 and 4 of Section 1 of Chapter 196, House Bill No. 322, of the General Laws passed by the Regular Session of the Forty-third Legislature; and declaring a nemergency."

The bill was read second time and was passed to third reading.

**House Bill 507 on Third Reading**

Senator Proffer moved that the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 507 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

**Absent—Excused**

Mauritz	Ramsey
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—27**

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	

**Absent**

Winfield	York
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**Absent—Excused**

Mauritz	Ramsey
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**Senate Bill 302 on Passage to Engrossment**

Senator Vick called from the table

for consideration at this time, on its passage to engrossment:

S. B. No. 302, A bill to be entitled "An Act amending Article 3912e, Section 13, Revised Civil Statutes of 1925, as amended, so as to provide that from effective date of this amendment, the salaries of certain county officers named in Section 13 of Article 3912e, in counties having a population of more than twenty thousand (20,000) inhabitants and less than one hundred and ninety thousand (190,000) inhabitants, according to the last preceding Federal census, shall be increased by twenty-five (25) per cent of the maximum amount that such officers are allowed as salary on the effective date of this Act; and declaring an emergency."

The bill having been read second time on Tuesday, April 29, 1947, and at that time laid on the table subject to call.

Question—Shall the bill be passed to engrossment?

Senator Lane called up for consideration the motion to reconsider the vote by which the amendment by Senator Strauss, offered on Tuesday, April 29, was adopted.

The motion to reconsider prevailed.

Question—Shall the amendment be adopted?

Senator Strauss then withdrew the amendment.

Senator Vick offered the following amendment to the bill:

Amend S. B. No. 302 by striking therefrom all below the enacting clause and substituting in lieu thereof the following:

Section 1. That Article 3912e, Section 13, Revised Civil Statutes of Texas, 1925, as amended, be and the same is hereby amended by adding thereto subsection (f) to read as follows:

"(f). From and after the effective date of this Act, the Commissioners' Court in counties having a population of twenty thousand (20,000) inhabitants or more and less than sixty thousand (60,000) inhabitants according to the last preceding Federal census is hereby authorized, when in their judgment the financial condition of the county and the needs of the officers justify the increase, to enter an order increasing the compensation of the precinct, county and district officers, as listed below, in an additional amount not to exceed fifteen

(15%) per cent of the maximum sum allowed under compensation provided by law at the effective date of this Act; and providing further that from and after the effective date of this Act the Commissioners' Court in counties having a population of sixty thousand (60,000) inhabitants or more, and less than one hundred and ninety thousand (190,000) inhabitants according to the last preceding Federal census, is hereby authorized and it shall be its duty to fix the salaries of all the following named officers, to-wit: Sheriff, Assessor and Collector of Taxes, County Judge, County Attorney, including Criminal District Attorneys and County Attorneys who perform the duties of District Attorneys, Districts Clerk, County Clerk, and County Treasurer, by increasing the compensation to be paid such officers in an additional amount of fifteen (15%) per cent of the maximum sum allowed under compensation provided by law at the effective date of this Act. The compensation herein provided shall be cumulative of and in addition to the maximum compensation provided by law as of the effective date of this Act."

Sec. 2. The fact that the cost of living has increased materially during the past seven years, with the further fact that the purchasing power of the dollars is decreasing and that salaries of other officials as well as the wages and salaries in private industry have been increased, and the fact that the officers of said counties have not received salary increases during the said seven years, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three (3) several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend subsection f, line 25 by deleting therefrom the following:

"and County Treasurer by increasing the compensation to be paid such officers" and inserting in lieu thereof the following:

"and deputies, clerks and assistants of all such county officials in such counties, by increasing the compensation to be paid such officers, deputies, clerks and assistants"

The amendment was adopted.

On motion of Senator Vick and by unanimous consent the caption was amended to conform with the body of the bill as amended.

The bill was passed to engrossment.

### Senate Bill 302 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 302 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

Absent—Excused

Mauritz Ramsey

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Tynan
Hazlewood	Vick
Jones	Weinert
Kelly of Tarrant	Winfield
Knight	York
Lane	

Nays—1

Taylor

Absent

Kelley of Hidalgo

Absent—Excused

Mauritz Ramsey

### Report of Conference Committee on Senate Bill 101

Senator Cousins called up for consideration at this time, the report of the Conference Committee on Senate Bill No. 101.

Question—Shall the report be adopted?

#### Recess

On motion of Senator Strauss, the Senate, at 12:15 o'clock p. m., took recess to 2:30 o'clock p. m. today.

#### Afternoon Session

The Senate met at 2:30 o'clock p. m. and was called to order by the President.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred House Bill No. 736, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred House Bill No. 637, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BULLOCK, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Federal Relations, to whom was referred Senate Bill No. 415 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 806, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 688, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 781, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 792, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. B. No. 579, A bill to be entitled "An Act to amend Harris County Road Law, Acts 1913, 33rd Legislature Special Laws, page 64, Chapter 17, as amended by Senate Bill 12, 35th Legislature 1917, Special Laws,

Chapter 1, House Bill 180, Special Laws 36th Legislature 1919, Senate Bill 81, Special Laws 39th Legislature 1925, Chapter 82, and Senate Bill 245, Special Laws, 40th Legislature 1927, to provide for more adequate supervision of roads, for the giving of bonds by County Commissioners as Road Supervisors, for the taking of bids and proposals and fixing the length of time for advertisement for bids, requiring Officers to conform to such Laws, providing for the making of certain reports and accountings by the County Auditor, authorizing and regulating the granting of easements across or along roads by the Commissioners Court, authorizing and regulating the making of certain agreements for the construction of tunnels on County roads and the financing thereof, validating agreements heretofore made; and declaring an emergency."

H. B. No. 723, A bill to be entitled "An Act validating all municipal pension systems established and operating under an Act of the Forty-eighth Legislature, 1943, page 619, Chapter 358, and all proceedings and actions done and undertaken in connection with such systems; and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act amending an Act of the 48th Legislature, 1943, page 619, Chapter 358, creating municipal pension system in all cities in this State having a population of three hundred and eighty-four thousand or more, according to any preceding or future Federal census; and declaring an emergency."

H. B. No. 733, A bill to be entitled "An Act amending Chapter 88, Section 13, Acts of the 41st Legislature Second Called Session, as amended by the Acts of the 43rd Legislature, Regular Session, Chapter 178, Section 1, as amended by the Acts of the 48th Legislature, Regular Session, Chapter 51, Section 1, as amended by the Acts of the 49th Legislature, Regular Session, Chapter 22, Section 1, to permit the State Highway Department to issue for the 1949 and 1950 registration years single plate or plates of metal or other material, symbols, tabs, or other devices, in connection with or in lieu of the motor vehicle license plate or plates; authorizing the Highway Department to prescribe the place

of attachment of the license plate or plates, symbols, tabs or other devices; amending Chapter 178, Acts of the 43rd Legislature, Regular Session, as amended by the Acts of the 49th Legislature, Regular Session, Chapter 22, to provide for the design, specifications and purchase of such registration insignia; repealing all laws in conflict herewith; providing a saving clause; and declaring an emergency."

H. B. No. 734, A bill to be entitled "An Act to repeal Section 2a, of Chapter 23, Acts 1930, Fifth Called Session, 41st Legislature, whereby no person to be subject to penalty of this law on account of his place of residence in this State, nor the occupation pursued and declaring an emergency."

H. C. R. No. 105, Granting each House permission to adjourn from May 1, 1947 until May 5, 1947.

S. C. R. No. 37, Recalling Senate Bill No. 364 from the Governor's office.

S. C. R. No. 38, Recalling Senate Bill No. 282 from the Governor's office.

S. C. R. No. 35, Authorizing the State Board of Control to enter into contract with the San Jacinto Museum.

S. C. R. No. 34, Authorizing the Governor to appoint Texas Training School Code Commission.

S. B. No. 14, A bill to be entitled "An Act to amend subsection 8 of Section 30 of Senate Bill No. 111, passed at the Second Called Session of the 41st Legislature, and known as Chapter 61, page 100 of the General Laws, passed by the Second Called Session of the 41st Legislature, as thereafter amended and declaring an emergency."

S. B. No. 83, A bill to be entitled "An Act to amend the statutes of the State of Texas relating to what a policy of life insurance shall contain by emending Sections 6, 7 and 8 of Article 4732 of the Revised Civil Statutes of Texas 1925, and Subsection e, Section 2, Chapter 89 of the Acts of the Forty-seventh Legislature, Article 4764b, Section 2, e, Vernon's Civil Statutes of Texas Annotated; and providing that this Act shall take

effect January 1, 1949; and declaring an emergency."

S. B. No. 396, A bill to be entitled "An Act making an emergency appropriation for the Texas Prison System and declaring an emergency."

S. B. No. 82, A bill to be entitled "An Act to amend the statutes of the State of Texas relating to the computation of the reserve on policies and contracts issued by life insurance companies organized under the laws of this State or authorized to transact business in this State by amending Articles 4688 and 4748 of the Revised Civil Statutes of Texas, 1925, and Section 5 of Chapter 101, page 172 of the Acts of the Forty-second Legislature (Article 4764a, Section 5, Vernon's Civil Statutes of Texas Annotated); and declaring an emergency."

H. C. R. No. 48, Relative to the appointment of a Committee to study educational needs within the State.

#### Report of Conference Committee on Senate Bill 101

The Senate resumed consideration of pending business, same being the report of the Conference Committee on S. B. No. 101.

On motion of Senator Cousins, the report was adopted.

#### House Bill and Resolution on First Reading

The following House bill and resolution received from the House today, were laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 246, to Committee on Finance.

H. C. R. No. 74, to Committee on Federal Relations.

#### Vote on House Bill 22 Reconsidered

Senator Lane called for the consideration at this time of the motion heretofore duly made and spread on the Journal to reconsider the vote by which House Bill No. 22 was passed and to request the House to return the bill to the Senate.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Morris
Bullock	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Stanford
Crawford	Stewart
Hardeman	Strauss
Harris	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Knight	Weinert
Lane	Winfield
Moffett	York

#### Absent

Brown	Jones
Hazlewood	

#### Absent—Excused

Mauritz	Ramsey
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#### Motion to Place Senate Bill 246 on Second Reading

Senator Cousins moved to suspend the regular order of business to take up Senate Bill No. 246 for consideration at this time.

The motion was lost by the following vote:

#### Yeas—12

Cousins	Taylor
Crawford	Tynan
Kelly of Tarrant	Vick
Moffett	Weinert
Morris	Winfield
Stewart	York

#### Nays—15

Aikin	Kelley of Hidalgo
Bullock	Knight
Carney	Lane
Chadick	Parrish
Hardeman	Phillips
Harris	Stanford
Hazlewood	Strauss
Jones	

#### Absent

Brown	Proffer
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#### Absent—Excused

Mauritz	Ramsey
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#### Senate Bill 15 with House Amendments

Senator Chadick called Senate Bill No. 15 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and

House amendments before the Senate, and the House amendments were read.

Senator Chadick moved that the Senate do not concur in the House amendments and that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

#### Conference Committee on House Bill 292

Senator Winfield called from the President's table for consideration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 292 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Ramsey, Hardeman, Harris, Carney and Winfield.

#### Providing Report of Investigating Committee for Speaker of the House

Senator Harris moved that the Secretary of the Senate be instructed to deliver to the Speaker of the House of Representatives a copy of the report of the committee to investigate the Board of Pardons and Paroles.

The motion prevailed.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: I am instructed by the House to inform the Senate that the House has passed the following resolution:

The House refused to concur in Senate amendments to House Bill No. 10 and has requested the appointment of a conference committee to consider the differences between the two Houses.

The following conference committee has been appointed on the part of the House: Godard, Brooks, Murphy, Blankenship, Williams of Scurry.

H. C. R. No. 64, Authorizing Earl M. Reeves to sue the State of Texas and the State Highway Department.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

#### Committee Substitute House Bill 295 on Second Reading

On motion of Senator Morris, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 295, A bill to be entitled "An Act providing for a more efficient public school system in Texas; providing for the equalization of funds; making an appropriation of Seventeen Million Dollars (\$17,000,000.00) for each year of the biennium ending August 31, 1949; allocating the funds so appropriated; providing for the administration thereof by the State Superintendent of Public Instruction, the Legislative Accountant, the Department of Education, the Director of Equalization; creating a Joint Legislative Committee; defining its powers and duties; providing for the appointment of a Legislative Accountant and providing for his powers and duties; providing that in the event the Joint Legislative Committee fails or refuses to perform duties herein imposed, same shall be performed by the State Board of Education; defining what schools and school districts may receive aid with certain exceptions thereto; defining budgetary need; providing for a system of transporting scholastics to and from schools under certain conditions and limitations with reasonable exceptions thereto; providing for the method and manner of paying therefor; providing for the payment of high school and elementary tuition and designating who and what schools may receive same with certain exceptions and limitations; providing for application for aid; providing for the duties of County Board of Trustees, County Superintendents and Board of Trustees; providing for the function of Deputy State Superintendents; providing for the scholastic population of school districts; providing for the levy of a tax; providing for salary aid; providing for salary schedule and length of term; providing for transportation aid; providing for the transfer under certain circumstances of a school's scholastic enrollment for one year to an accredited school of higher rank; providing for disbursement; providing how counties with no governing school board may function in order to receive aid under this Act; provid-



ing for allowances to school districts suffering loss sustained by reason of the location in said districts of Federal owned lands or University owned lands. Declaring the public policy of the State that all school districts receiving aid under the provisions of this Act or any equalization Act shall purchase all motor vehicles, motors for motor vehicles, and motor vehicle tires through the Board of Control under competitive bidding; amending Chapter 3, Title 20, R. C. S. 1925, by adding thereto a new section providing for such purchase by such school districts of motors, motor vehicles and motor vehicle tires through the Board of Control under competitive bidding; providing that the Board of Control and State Superintendent may make rules to effectuate such purchases; providing for the payment of such articles so purchased; providing an effective date for the various portions of such Section 1 of Article XIV; providing that if such Section 1 of Article XIV hereof shall be invalid or ineffective as an amendment to Chapter 3, Title 20, such shall nevertheless be effective and remain in force as a part of this Act, and as a condition precedent for receiving aid hereunder; providing that no school district receiving aid under this Act may purchase such motor vehicles, motors or tires except in the manner provided in Section 1 of Article XIV hereof; providing a specific savings clause for Section 1 of Article XIV hereof; providing conditions precedent to receiving aid under this Act; repealing all laws in conflict with this Act; providing a savings clause; declaring an emergency."

The bill was read second time.

(Senator Vick in the Chair.)

Senator Winfield offered the following amendment to the bill:

Amend C. S. H. B. No. 295 by striking out in Line 25, Page 2, the following:

"Fifteen hundred (1500)" and inserting in lieu thereof the following: "two thousand (2000)."

Senator Morris moved to table the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—13

Aikin	Lane
Carney	Moffett
Chadick	Morris
Cousins	Stewart
Crawford	Taylor
Harris	Weinert
Hazlewood	

#### Nays—14

Bullock	Phillips
Hardeman	Proffer
Jones	Stanford
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Vick
Knight	Winfield
Parrish	York

#### Absent

Brown	Tynan
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#### Absent—Excused

Mauritz	Ramsey
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(President in the Chair.)

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—12

Bullock	Parrish
Hardeman	Proffer
Jones	Stanford
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan
Knight	Winfield

#### Nays—16

Aikin	Moffett
Carney	Morris
Chadick	Phillips
Cousins	Stewart
Crawford	Taylor
Harris	Vick
Hazlewood	Weinert
Lane	York

#### Absent

Brown
-------

#### Absent—Excused

Mauritz	Ramsey
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Senator Strauss offered the following amendment to the bill:

Amend H. B. No. 295 by striking out the words "and all scholastics enrolled in or attending parochial schools in the district" as they appear

in Section 1 of Article III, lines 57 and 58 on page 5 of the bill.

The amendment was lost.

#### Record of Votes

Senators Winfield, Phillips, Vick and Stanford asked to be recorded as voting "yea" on the amendment.

Senator York moved to reconsider the vote by which the amendment by Senator Strauss was lost.

The motion to reconsider was lost.

#### Record of Votes

Senators Winfield, Phillips, Stanford and Vick asked to be recorded as voting "yea" on the motion to reconsider.

(Senator Aikin in the Chair.)

Senator Moffett offered the following amendment to the bill:

Amend C. S. H. B. No. 295 by striking out the words and figures "four (\$4)" in line 22, page 8 and insert in lieu thereof the words and figure "five (\$5)."

Senator Morris moved to table the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

#### Yeas—13

Aikin	Lane
Carney	Morris
Chadick	Phillips
Cousins	Stewart
Crawford	Taylor
Jones	Tynan
Knight	

#### Nays—13

Bullock	Proffer
Hardeman	Stanford
Hazlewood	Strauss
Kelley of Hidalgo	Vick
Kelly of Tarrant	Winfield
Moffett	York
Parrish	

#### Absent

Brown	Weinert
Harris	

#### Absent—Excused

Mauritz	Ramsey
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Question—Shall the amendment be adopted?

#### Senate Resolution 98

(Princess of the Senate)

Senator Hardeman offered the following resolution:

Whereas, On April 26, 1947 there was born in San Antonio, Texas, to one of Texas' most distinguished couples, a charming little lady named Marialice Sue Shivers, and

Whereas, Her father is the able and popular Lt. Governor of the Lone Star State and the capable and efficient President of the Senate of Texas and her mother is the charming helpmate of the Lt. Governor, and

Whereas, Marialice Sue has two older brothers who are proud of her arrival and are interested in her welfare, and

Whereas, It is the desire of the Senate to name Miss Marialice Sue Shivers as the "Princess of the Senate" and to have her photograph included in the block picture of the Senate, now therefore be it

Resolved, By the Senate of Texas that Miss Marialice Sue Shivers be and she is hereby chosen and named the official "Princess of the Senate" and that her picture be included in the block picture of the Senate.

Signed—Aikin, Brown, Bullock, Carney, Chadick, Cousins, Crawford, Hardeman, Harris, Hazlewood, Jones, Kelley of Hidalgo, Kelly of Tarrant, Knight, Lane, Mauritz, Moffett, Morris, Parrish, Phillips, Proffer, Stanford, Stewart, Strauss, Taylor, Tynan, Vick, Weinert, Winfield, York.

The resolution was read.

On motion of Senator Vick, the names of all Members of the Senate were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.

(President in the Chair.)

#### House Concurrent Resolution 104

The President laid before the Senate for consideration at this time:

H. C. R. No. 104, Expressing thanks to Hollywood movie and radio stars.

The resolution was read.

Senator Phillips offered the following amendment to the resolution:

Amend House Concurrent Resolution 104 by striking out the list of stars and substituting in lieu thereof the following:

Abigail and Buddy, Harry Bobbitt, Ann Blyth, Victor Borge, Johnny Coy,

Howard Deighton, Kay Kyser, Paul Masher, Marion Morgan, The Merrell Trio, Mickey Rooney, Jane Russell, Joe Sanders and Band, Sonney Tufts, Jerrey Wald.

The amendment was adopted.

The resolution, as amended, was then adopted.

#### Adjournment

On motion of Senator Strauss, the Senate, at 4:20 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

#### SIXTY-THIRD DAY

(Tuesday, May 6, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Brown	Moffett
Bullock	Morris
Carney	Parrish
Chadick	Phillips
Cousins	Proffer
Crawford	Ramsey
Hardeman	Stanford
Harris	Stewart
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Weinert
Knight	Winfield
Vick	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Phillips, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

#### Reports of Standing Committees

Senator Crawford submitted the following reports:

Austin, Texas  
May 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred House Bill No. 413, have had the same

under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CRAWFORD, Chairman.

Austin, Texas

May 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred House Bill No. 416, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CRAWFORD, Chairman.

Austin, Texas

May 6, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred House Bill No. 415, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CRAWFORD, Chairman.

#### Senate Concurrent Resolution 40

Senator Harris offered the following resolution:

S. C. R. No. 40, Inviting the Reverend Father Joseph T. O'Callahan, S.J., to address a Joint Session of the Legislature.

Whereas, the Reverend Joseph T. O'Callahan, S.J., known throughout the United States Navy as the "Fighting Priest" who joined the Naval Service of his country in August, 1940, to which he gave six years of brilliant service having served at the Naval Air Stations at Pensacola, San Francisco, and Pearl Harbor in the capacity as Catholic Chaplain and

Whereas, Father O'Callahan affectionately known by the enlisted personnel of the Fleet as "Padre" served at Sea aboard the Carrier U.S.S. Ranger for a period of two and one-half years participating in three major European Engagements including the original landings at Casablanca and

Whereas, He later was transferred to the Pacific Fleet to become Chaplain of the ill-fated carrier U.S.S. Franklin that was hit and completely disabled in March, 1945, sixty miles off Tokyo Bay and